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February 14, 2025

Via CM/ECF

United States District Court
Southern District of New York
Honorable Judge P. Kevin Castel
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

RE: *Barron et al., v. micromobility, et al.*, Case No. 20-cv-4703

Dear Judge Castel:

I write on behalf of Plaintiffs in response to the Helbiz Defendants' February 10 and February 12, 2025 letters (Dkt. 328, 331) seeking to quash Plaintiffs' subpoenas to three accounting firms. Under the default rules, Plaintiffs' response is due today. To fully explain their position, Plaintiffs need to discuss certain documents that Defendants have designated as confidential. Accordingly, we have prepared a 9-page draft of the response which we provided to Helbiz Defendants' Counsel so that they could see our reasons for wanting to provide the documents to the Court and possibly agree to de-designate them. Because the documents include tax returns, we also offered to redact information about addresses, dates of birth and social security numbers.

Defendants have agreed to de-designate one document but not the others. Under Paragraph 6 of the Confidentiality Order (Dkt. 323-1) it is incumbent upon Defendants to move the Court for an order for Plaintiffs to file the tax return exhibits and portions of their brief discussing the returns under seal. Plaintiffs do not oppose that relief.

Our understating is that Defendants will file their motion sometime next week pursuant to the timing set forth in Paragraph 6 of the Confidentiality Order. Accordingly, Plaintiffs request an extension of time to file our response to Dkt. 328 and 331 until 48 hours after your Honor has ruled on Defendants' forthcoming motion to seal.

We have conferred with Robert Heim, Counsel for the Helbiz Defendants, and they do not oppose this extension. We have also confirmed to the Helbiz Defendants' Counsel that the accountant firms' responses to the subpoenas are on hold until the court rules on the Helbiz Defendants' underlying motion to quash.

*On this discovery
dispute, either party
may redact in accordance
with Rule 5.2(a) and
may file tax returns
and portions of brief
discussing
tax returns under seal.*

*Plaintiffs shall
file their response by
Feb 20, 2025.
SO ORDERED
JSDJ
2-18-25*

February 14, 2025

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Thank you for your time in this matter.

Respectfully submitted,

s/ Michael Kanovitz

One of counsel for Plaintiffs

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